

FORM PTO-1083

Docket No.: 710.1027

Date: April 5, 2006

Mail Stop: PCT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

In re application of: **Robert BEHR, et al.**

Application No.: 10/540,194

Filed: June 20, 2005 as national phase of International Application Serial No. PCT/EP2003/013551,
filed December 2, 2003

For: **ENGINE HOOD COMPRISING A PROTECTIVE DEVICE FOR PEDESTRIANS**

Sir:

Transmitted herewith is a **Response to Notification of Missing Requirements (1 page)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
☒ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

| | | (Col. 1) | (Col. 2) | | | SMALL ENTITY | | | OR | | | LARGE ENTITY |
|--|---|-----------|------------|---------|--|--------------|-----|--|----|----------|-----|--------------|
| FOR: | | REMAINING | HIGHEST | | | RATE | FEE | | | RATE | FEE | |
| | | AFTER | PREVIOUSLY | PRESENT | | | | | | | | |
| | | AMENDMENT | PAID FOR | EXTRA | | | | | | | | |
| TOTAL CLAIMS | * | Minus 20 | = | 0 | | x \$ 25 | \$ | | | x \$ 50 | \$ | |
| INDEP. CLAIMS | * | Minus 3 | = | 0 | | x \$ 100 | \$ | | | x \$ 200 | \$ | |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | | + \$ 180 | \$ | | | + \$ 360 | \$ | |
| | | | | | | TOTAL: | \$ | | OR | TOTAL: | \$ | |

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

☒ Also transmitted herewith are:

☒ Petition for extension under 37 C.F.R. 1.136

☒ Other: **Supplemental Information Disclosure Statement (2 pages) with form PTO-1449 (1 page) with copy of cited reference**

☒ Check(s) in the amount of **\$1720.00** is/are attached to cover:

☐ Filing fee for additional claims under 37 C.F.R. 1.16

☒ Petition fee for extension under 37 C.F.R. 1.136

☒ Other: **Declaration surcharge under 37 C.F.R. §1.492(h)**

☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.

☒ Any patent application processing fees under 37 C.F.R. 1.17.

☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on April 5, 2006.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
Oliver Platz

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: **Robert BEHR, et al.**

Serial No.: 10/540,194

Filed: June 20, 2005 as national phase of International Patent
Application Serial No. PCT/EP2003/013551, filed December
2, 2003

For: **ENGINE HOOD COMPRISING A PROTECTIVE DEVICE
FOR PEDESTRIANS**

Mail Stop: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 5, 2006

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification to Missing Requirements, dated November 3, 2005, a copy of which is enclosed, please find a copy of an executed Declaration/Power of Attorney form signed by the inventors. Also submitted herewith is a petition for extension of time and the required check over \$1720.00, covering the fee for a four months extension of \$1590.00 and the declaration filing surcharge of \$130.00.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

04/11/2006 HKAYPAGH 00000116 10540194

02 FC:1617

130.00 OP

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By



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Rec'd PCT/PTO 07 APR 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/540,194 | Robert Behr | 710.1027 |

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|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
| PCT/EP03/13551 |

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 12/02/2003 | 12/19/2002 |

23280

DAVIDSON, DAVIDSON & KAPPEL, LLC
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RECEIVED
NOV 10 2005

CONFIRMATION NO. 1207

371 FORMALITIES LETTER



OC000000017355592

DAVIDSON, DAVIDSON & KAPPEL

Date Mailed: 11/03/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/20/2005
- English Translation of the IA filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Copy of IPE Report filed on 06/20/2005
- Preliminary Amendments filed on 06/20/2005
- Information Disclosure Statements filed on 06/20/2005
- Oath or Declaration filed on 06/20/2005
- U.S. Basic National Fees filed on 06/20/2005
- Priority Documents filed on 06/20/2005

I PM 11/10/05

W/6/3/06 missing parts
(deadline)

W/1/3/06 missing parts
due date

W/12/3/05 Reminder

W/12/27/05 Reminder csk/wcc/cp

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/540,194 | PCT/EP03/13551 | 710.1027 |

FORM PCT/DO/EO/905 (371 Formalities Notice)